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FACSIMILE TRANSMITTAL**DATE:** SEPTEMBER 24, 2004**PLEASE DELIVER THE FOLLOWING PAGES TO:****NAME:** EXAMINER BAO Q. LI **GROUP ART UNIT:** 1648**COMPANY:** U.S. PATENT AND TRADEMARK OFFICE**FAX NO.** (703) 872-9306**THIS FACSIMILE IS BEING SENT BY:****NAME:** LEWIS KREISLER**Number of Pages (including this cover sheet):** 3**If you do not receive all the pages please call Wellstat Biologics at (240) 631-2500 x3276**

Re: Inventor(s): Atkins, et al.
Appl. No.: 10/717,101
Filed: November 19, 2003
For: PURGING OF CELLS USING VIRUSES
Atty. Ref. 18013-C1

Transmitted herewith is/are the following document(s):

Communication in Response to Restriction Requirement, including certificate of facsimile transmission

Confidentiality Statement

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SEP 24 2004

I hereby certify that the correspondence to which this certificate is affixed, including each document referred to therein as being enclosed or submitted therewith, is being facsimile transmitted (Fax No. (703) 872-9306) to the United States Patent and Trademark Office on the date shown below.

By: Lewis J. Kreisler
Lewis J. Kreisler
Reg. No. 38522

Date: 9/24/04

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Atkins, et al.	Atty. Ref.:	18013-C1
Appl. No.:	10/717,101	Group Art Unit:	1648
Filed:	November 19, 2003	Examiner:	Bao Q. Li
Conf. No.:	7313		
For:	ONCOLYTIC VIRUS		

* * * * *

September 24, 2004

Commissioner for Patents
Washington, D.C. 20231

Sir:

COMMUNICATION IN RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the August 25, 2004 Office Action in connection with the above-identified application. A response to the Office Action is due September 25, 2004.

Therefore this Communication is being timely filed.

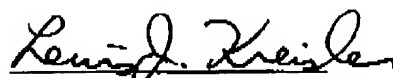
The Office Action stated that restriction is required under 35 U.S.C. §121 to one of five (5) groups as set forth in the Office Action. Applicants hereby elect Group I.A.i (Claims 1-21, directed to a method of reducing neoplastic cells in an *ex vivo* mixture of normal hematopoietic cells and neoplastic cells by contacting said mixture with a rhabdovirus, classified in class 435, subclass 235.1). The nonelected subject matter is being

• Inventor(s): Atkins, et al.
Application No.: 10/717,101
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maintained of record, pending rejoinder and/or the filing of one or more divisional applications.

It is believed that no fee is required in connection with the filing of this Communication.
If any fee is required, the Commissioner is hereby authorized to charge the amount of such fee to Deposit Account No. 50-1677.

Respectfully submitted,



Lewis J. Kreisler
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